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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,163	05/30/2000	Wido Menhardt	48906.2USPT	2456

24238 7590 08/10/2006

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EXAMINER
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CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/580,163	<b>Applicant(s)</b> MENHARDT ET AL.	
	<b>Examiner</b> Truc T. Chuong	<b>Art Unit</b> 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 4,6-15,18-33 and 35-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4,6-15,18-33 and 35-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____  | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This communication is responsive to RCE, filed 07/28/06.

Claims 4, 6-15, 18-33, and 35-51 are pending in this application. In the communication, claims 4 and 33 are independent claims, claims 4 and 33 are amended, and claims 1-3, 5, 16-17, and 34 are cancelled. This action is made non-final.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 4, 6-15, 18-33, and 35-51 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Orton et al. ("Orton", U.S. Patent No. 5,717,877).

As to claim 4, Orton teaches a computer implemented framework for monitoring workflow within a computer application, said framework having multiple levels of functionality, and capable of combining a plurality of components from different sources for use in said application, said framework comprising:

- a. a user interface for facilitating interaction between a user and said application (GUI, e.g., col. 1 lines 38-40, and fig. 1B);
- b. a process level for selecting a process definition a set of process steps to be applied to a data set, said process steps associated with said with said set of activities, said process level comprising a process selector for selecting said process definition from a group of at least one process definition and data selector for selecting said data set from a group of at least one data set, each said groups being stored in a data storage device accessible by application (first level, based on user requirements to define and collect objects for creating a suitable application, e.g., col. 5 lines 25-44);
- c. a sub-process level including an aggregation of selected activities from said set of activities, said aggregation of activities associated with said process definition, said sub-process level enabling navigation between ones of said selected activities during execution of said process definition (second level, the sub-selectable objects are viewed/selected in details to construct the program, e.g., col. 5 line 45-col. 6 line 20); and
- d. an activity level including said at least one activity from said set of activities (e.g., col. 5 line 45-col. 6 line 20);

wherein each of said at least one activity has a property that is modified as a result of the execution of said process definition, and is applied to said data set during its respective process

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step in said set of process steps to produce an output data set for said user interface (third level, final steps in creating the suitable application, e.g., col. 6 lines 21-43);

Orton inherently teaches that the workflow including at least one activity from a set of activities originating from outside said application because the communication adapter 34 of Orton's workstation for connecting the workstation to a data processing network (e.g., col. 4 lines 13-17, and fig. 1), and the user of the workstation can collaborate with other workstations/remote machines via the network so that the information/activities can be sent/share with other users (e.g., col. 7 line 45-col. 8 line 6). Alternatively, if Orton does not clearly teach that the workflow including at least one activity from a set of activities originating from outside said application, it is well known and would have been obvious to a person of ordinary skill in the art at the time of the invention to modify his/her computer workstation to connect with other systems via Internet/LAN/WAN for sharing/receiving more information throughout the network.

As to dependent claim 6, Orton teaches the levels are assignable to distinct regions of said user interface (e.g., col. 12 lines 37-58).

As to dependent claim 7, Orton teaches the activity level further supports a re-use of a previous activity over a current activity, said previous activity selected from said aggregation of selected activities (selectable presentations, e.g., col. 11 lines 25-63).

As to dependent claim 8, Orton teaches the user interface includes a screen for providing a display of images (objects on screen can be considered as images, e.g., col. 1 lines 35-60).

As to dependent claim 9, Orton teaches current activity being processed from said set of activities is assigned to a work area of said screen, said work area having a substantial portion of

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the screen surface area (the aggregated application is displayed on the computer screen, e.g., col. 24 lines 44-52 and fig. 13).

As to dependent claim 10, Orton teaches the framework monitors ownership of said work area by said current activity (e.g., figs. 21A-C).

As to dependent claim 11, Orton teaches the user interface facilitates multiple activities that are processable concurrently (simultaneously processing the current case by user interaction, e.g., Abstract).

As to dependent claim 12, Orton teaches the sub-process level facilitates a dynamic ordering of said selected activities by said user (the user has to follow step by step to create the application, e.g., col. 4 line 65-col. 5 line 21).

As to dependent claim 13, Orton teaches the process level automates a control flow between said selected activities in said set of activities based on a rule set or an activity property set (defining the logic is based on the functions of each object, e.g., col. 1 line 50-col. 2 line 8).

As to dependent claim 14, Orton teaches at least two of said different sources have different formats (different applications with different frameworks have different formats, e.g., col. 11 lines 40-63).

As to dependent claim 15, Orton teaches the process level monitors functionality of a current activity based on said output data set obtained from a previous activity (level 2 or 3 is the result of previous level 1 activities as mentioned in claim 4 above).

As to dependent claim 18, Orton teaches the process level facilitates selection between active activities by a user (e.g., col. 5 line 45-col. 6 line 20).

As to dependent claim 19, Orton teaches a tool level for setting a parameter of said activity level, said parameter for updating an operational behavior of said activity level (defining the logic is based on the functions of each object, e.g., col. 1 line 50-col. 2 line 8).

As to dependent claim 20, Orton teaches the tool level is assignable to a distinct region of said user interface (final steps in creating the suitable application, e.g., col. 6 lines 21-43).

As to dependent claim 21, Orton teaches an installation of a tool in the tool level region of said interface, said tool requested by said activity level (objects are viewed/selected in details to construct the program, e.g., col. 5 line 45-col. 6 line 20).

As to dependent claim 22, Orton teaches the tool level includes a tool navigator for facilitating selection of a tool by said user (drag/drop/move objects, e.g., col. 1 lines 45-49).

As to dependent claim 23, Orton teaches the multiple tool levels are supported by said framework (frameworks, e.g., col. 6 lines 45-52).

As to dependent claims 24-26, Orton teaches a content of said work area contains shared properties stored in a shared data context (object oriented, e.g., col. 4 lines 47-60).

As to dependent claim 27, Orton teaches the content of said shared data context is accessible by said user is for verifying that required data for said selected activities is present (final steps in creating the suitable application, e.g., col. 6 lines 21-43).

As to dependent claim 28, Orton teaches the framework restricts access by said user of selected ones of the levels (different applications with different frameworks have different formats, e.g., col. 11 lines 40-63).

As to dependent claim 29, Orton teaches including a module for interfacing said application to a database library (objects from other sources, e.g., col. 11 lines 44-63).

As to dependent claim 30, Orton teaches the database library includes data selected from the group comprising process definitions, sub-process descriptions, and activity information (Note the rejection of claim 4 above).

As to dependent claim 31, Orton teaches the data set is external to said framework with an interface to said data set provided by said module (different applications with different frameworks have different formats, e.g., col. 11 lines 40-63).

As to dependent claim 32, Orton teaches the framework restricts access by said user of selected ones of the levels (access IDs are required for each user, e.g., col. 33 lines 27-48).

As to claims 33, and 35-51, they are the equivalent method claims of product claims 4, 6, 8-15, 7, 19-20, 30, 24-25, 28 and 32 respectively and are rejected under a similar rationale.

### ***Response to Arguments***

Applicant's arguments with respect to claims, filed 7/28/06, have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Truc T. Chuong

08/05/06



**WEILUN LO**  
**SUPERVISORY PATENT EXAMINER**